

THIS AMENDED RULE WAS APPROVED BY THE UTAH STATE BOARD OF EDUCATION AND IS PUBLISHED IN THE JANUARY 15, 2009 UTAH STATE BULLETIN, SUBJECT TO A 30-DAY COMMENT PERIOD, WITH A FIRST POSSIBLE EFFECTIVE DATE OF FEBRUARY 24, 2009.

R277. Education, Administration.

R277-462. Comprehensive Counseling and Guidance Program.

R277-462-1. Definitions.

~~[B]~~A. "Board" means the Utah State Board of Education~~[—and Applied Technology Education].~~

~~[E]~~B. "Comprehensive Counseling and Guidance Program" or "Program" means the organization of resources to meet the priority needs of students and inform and involve parents or guardians through four delivery system components:

(1) school guidance curriculum which means providing guidance content to all students in a systematic way;

(2) individual student planning which means individualized education and career planning, including student educational and occupational planning~~[—component which means individualized education and career planning]~~ with all students;

(3) responsive services component designed to meet the immediate concerns of certain students; and

(4) system support component which addresses management of the Program and the needs of the school system itself.

~~[D]~~C. "Comprehensive Counseling and Guidance Steering and Advisory Committee" means representatives designated by the USOE comprised of school district counseling supervisors, school district ~~[ATE]~~career and technical education directors, PTA, the school counselor professional association,~~[—and]~~ practicing school counselors, and others designated by the USOE.

D. "Counselor to student ratio" means licensed school counselors full time equivalent (FTE), or percentage thereof, who by license and assignment are identified as school counselors for secondary students on October 1 of each year compared to the secondary student enrollment on October 1 of each year.

E. "Direct services" means time spent on the school guidance curriculum, individual student planning, including SEOP, and responsive services activities meeting students' identified needs as discerned by students, school personnel and parents or guardians consistent with school district and charter school policy.

F. "School counselor" means an educator licensed as a school counselor in the state of Utah consistent with R277-506 and assigned to provide counseling services.

G. "Secondary school" means a school providing services to students in grades 7-12.

H. "Secondary student" means a student in grades 7-12.

~~[F]~~I. "SEOP" means student education occupation plan~~[s and processes].~~ An SEOP is a developmentally organized intervention process that includes:

(1) a written plan, updated annually, for a student's (grade 9-12, at a minimum) education and occupational preparation;

(2) all Board, local board and local charter board graduation requirements;

(3) evidence of parent or guardian, student, and school

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representative involvement annually;

(4) attainment of approved workplace skill competencies, including job placement when appropriate; and

(5) identification of post secondary goals and approved sequence of courses.

[G]J. "Student achievement" means academic performance, career development, personal/social development, ~~[retention]~~continued student engagement in learning, attendance, SEOP outcomes and other measures of adequate yearly progress.

[H]K. "USOE" means the Utah State Office of Education.

[A]L. "~~[A]~~Utah Career and Technical Education Consortium" means representatives of nine ~~[A]~~Career and Technical Education Regional Planning Areas.

[F]M. "WPU" means weighted pupil unit, the basic unit used to calculate the amount of state funds for which a school district or charter school is eligible.

R277-462-2. Authority and Purpose.

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and authority over public education in the Board, by Section 53A-1a-106(2)(b) which directs local boards to develop policies for the implementation of student education plans (SEP) or SEOPs, and by Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities.

B. This rule establishes standards and procedures for entities applying for funds appropriated for Comprehensive Counseling and Guidance Programs administered by the Board.

C. This rule establishes counselor to student ratios as a requirement for all secondary schools.

D. This rule establishes provisions for school districts and charter schools not meeting the minimum counselor to student ratios.

E. This rule directs that local school district, charter school and building level policies and practices shall free licensed school counselors for appropriate identified activities with secondary students. School counselors shall not devote significant time to non-school counseling activities, including test coordination and assessment and other activities inconsistent with the Program.

R277-462-3. Comprehensive Counseling and Guidance Program Approval and Qualifying Criteria.

A. Comprehensive Counseling and Guidance disbursement criteria:

(1) In order to qualify for Comprehensive Counseling and Guidance Program funds, secondary schools shall implement SEOP policies and practices, consistent with Section 53A-1a-106(2)(b), local board or charter school governing board polic[~~y~~]ies, and the

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school improvement plans developed for Northwest Accreditation and required under Section 53A-1a-108.5.

(2) Consistent with the Utah Model for Comprehensive Counseling and Guidance: K-12 Programs, [E]each school[, including] district and charter school[s] secondary school, which has a USOE-approved school counseling program [Comprehensive Counseling and Guidance Program] shall receive a WPU base[- of 6 WPU] for the first 400 students as determined by the October 1 enrollment of the previous fiscal year, and a per student allotment, as funds are available, for each additional student beyond 400, capping at a maximum 1200 students if the local Program maintains Program criteria and ratios required in R277-462-5.

(3) Priority for funding shall be given [for]to grades nine through twelve for [ATE]career and technical education programs including the Comprehensive Counseling and Guidance Program and any remaining funds shall be allocated to grades seven and eight for the schools which meet Comprehensive Counseling and Guidance Program standards. Funds directed to grades seven and eight shall be distributed according to the formula under R277-462-3A(2) following the distribution of funds for grades nine through twelve.

(4) The charter school or school district Comprehensive Counseling and Guidance Program shall be integrated into the mission of the school and be consistent with the Northwest Accreditation process as defined in R277-413, Accreditation of Secondary Schools, Alternative or Special Purpose Schools. School counselors shall provide evidence that the Comprehensive Counseling and Guidance Program contributes to student achievement included in the local school improvement plan~~[- developed as part of the Northwest Accreditation process].~~

(5) Secondary [S]schools shall qualify [to receive]for Comprehensive Counseling and Guidance Program funds through participation in a regular schedule of on-site reviews by team members [designated]determined by the school district or the charter school's authorizing agency. Scheduling of the on-site review process shall be coordinated with the Northwest Accreditation process for secondary schools as defined in R277-413 and shall, at a minimum, take place every [three]six years with three year interim reviews, in a format determined by the school district or charter school authorizing agency. Successful on-site reviews of the Comprehensive Counseling and Guidance Program shall indicate a balance of activities consistent with Program models and goals in individual student planning, guidance curriculum, responsive services and system support.

(6) If a charter school requires assistance from a school district in conducting the charter school's on-site review, the charter school shall compensate the school district in a reasonable amount agreed upon between the school district and the charter school.

([6]7) Consistent with Section 53A-17a-113(5), of the monies

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allocated to Comprehensive Counseling and Guidance Programs, \$1,000,000 in grants shall be awarded to school districts and charter schools that:

- (a) provide an equal amount of matching funds; and
- (b) do not supplant other funds used for Comprehensive Counseling and Guidance Programs[; and
- ~~(c) show effort to make the counselor to student ratio for Comprehensive Counseling and Guidance Programs no greater than one counselor for every 350 students.~~
- ~~(7) Districts and charter schools shall include in their annual Request for Proposal to the USOE for Comprehensive Counseling and Guidance Program funds a description of sources for the matching funds and a confirmation that such monies shall be used to reduce counselor to student ratios or maximize direct services to students by school counselors].~~

[[8]8) Comprehensive Counseling and Guidance Program funds shall be distributed to school districts and charter schools for secondary schools [~~within the district or charter schools~~] that have completed a regular schedule of on-site reviews and that meet all of the following criteria:

(a) Approval of the Comprehensive Counseling and Guidance Program by the local board of education or charter school governing board and on-going communication with the local or governing board regarding Program goals and outcomes supported by data;

(b) Regular participation of guidance team members in USOE sponsored Comprehensive Counseling and Guidance training;

(c) Adequate resources and support for guidance facilities, material, equipment, clerical support, and school improvement processes;

(d) Evidence that eighty percent of aggregate counselors' time is devoted to DIRECT service to students through a balanced program of individual planning, school guidance curriculum, and responsive services consistent with the results of the school needs data;

(e) Communication, collaboration, and coordination within the feeder system regarding the Comprehensive Counseling and Guidance Program;

(f) School-wide student/parent/teacher needs assessment data for the Comprehensive Counseling and Guidance Program gathered and analyzed at least every three years;

(g) Structures and processes to ensure effective Program management including advisory[~~—and—~~]/steering committees functioning effectively, school counselors working as Program leaders, and the Comprehensive Counseling and Guidance Program contributing to school improvement teams;

(h) Available [R]responsive services[~~—are available~~] to address the immediate concerns and identified needs of[~~—all~~] students through an education-oriented and programmatic approach; [~~7~~ and in collaboration] services should compliment and coordinate with existing school programs, [~~—and coordination with~~] famil[~~y~~]ies, and

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school and community resources;

(i) Delivery to students of a developmental and sequential school guidance curriculum in harmony with content standards identified in the Utah model for the Comprehensive Counseling and Guidance Program. Guidance curriculum is prioritized according to the results of the school needs assessment process;

(j) Assistance for students in career development, including awareness and exploration, job seeking and finding skills, and post high school placement;

(k) ~~[Establishment of]~~ Facilitation by [S]school counselors of Student Education Occupation Planning (SEOP), both as a process and a product~~[consistent with local board or charter school governing board policy and goals of the Utah Model for Comprehensive Counseling and Guidance Program, Northwest Accreditation, R277-413, and Applied Technology Education, R277-911];~~~~[-and]~~

(l) Involvement of parents/guardians in all available Comprehensive Counseling and Guidance Program steering/advisory committees; and

([±]m) [All—]Program elements [are]that are designed to recognize and address the [diverse—]needs of [every]diverse students.

B. All school districts [may qualify schools for the] and local charter governing boards that receive Comprehensive Counseling and Guidance Program funds [and districts and charter school governing boards—]shall provide written certif[y]ication [in writing—]that all Program standards are [being] met by each school [receiving funds under this rule and meet the following deadlines: The "Form for Program Approval" shall be received by the USOE from schools scheduled for review in the three year cycle no later than May 1 of each year for disbursement of funds the next year]consistent with USOE cycles, and using USOE forms. All schools and charter schools receiving Comprehensive Counseling and Guidance Program funds shall provide school-based data projects demonstrating program or intervention effectiveness as required by the USOE.

[R277-462-4. Use of Funds.]

~~A. Funds disbursed for this Program shall be used by the district in the district secondary schools in grades seven through twelve to provide a guidance curriculum and an SEOP for each student at the school, to provide responsive services, and to provide system support for the Comprehensive Counseling and Guidance Program. Such costs may include the following:~~

~~— (1) personnel costs;~~

~~— (2) career center equipment such as computers, or media equipment;~~

~~— (3) career center materials such as computer software, occupational information, SEOP folders, and educational information;~~

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~~(4) in-service training of personnel involved in the Comprehensive Counseling and Guidance Program;~~

~~(5) extended day or year if REQUIRED to run the Program; and~~

~~(6) guidance curriculum materials for use in classrooms.~~

~~B. Funds shall not be used for non-guidance purposes or to supplant funds already being provided for the Comprehensive Counseling and Guidance Program except that:~~

~~(1) Districts or charter schools may pay for the costs incurred in hiring NEW personnel as a means of reducing the pupil/counselor ratio and eliminating time spent on non-guidance activities in order to meet the Program criteria.~~

~~(2) Districts or charter schools may pay other costs associated with a Comprehensive Counseling and Guidance Program which were incurred as a part of the Program during the implementation phase but which WERE NOT a regular part of the Program prior to that time.]~~

R277-462-4. Student Education Occupation Planning.

A. School district and charter school secondary schools that receive Comprehensive Counseling and Guidance funds shall complete written SEOPs for all students.

B. Plans shall be signed by parents/guardians.

C. Plans shall be completed for students prior to the beginning of their ninth grade years.

D. Plans shall be maintained by the student's school.

E. Students' course registration and class changes shall be consistent with their written SEOPs.

F. The SEOP process shall be carried out consistent with the policies and goals of the school districts' or charter schools' Comprehensive Counseling and Guidance Program models.

R277-462-5. School Counselor to Student Ratios.

A. All school districts and charter schools shall certify to the USOE by October 1 annually:

(1) the full time equivalent licensed school counselors employed and assigned to each school;

(2) that secondary school counselor to secondary student ratios at the school district or charter school level are one (counselor) to 350 (students) or better; and

(3) that variations requiring less than a .25 full time equivalent licensed school counselor shall be permitted at the school level.

B. May 1 annually, school districts and charter schools not meeting the ratio required under R277-462-5A(2), shall submit to the Board a plan to be approved for meeting established ratios in a reasonable time frame to continue to receive Comprehensive Counseling and Guidance Program and Minimum School Program funding.

C. School districts and charter schools that do not satisfy required counselor to student ratios shall receive reasonable

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notice and reasonable time periods and opportunities to explain and remedy the failure to comply.

D. As additional funds for Comprehensive Counseling and Guidance Programs become available, lower counselor to student ratios may be required following Board approval and adequate notice to schools districts and charter schools.

R277-462-6. Use of Comprehensive Counseling and Guidance Program Funds.

A. School districts and charter schools shall satisfy all provisions of R277-462 including established counselor to student ratios, in order to receive Comprehensive Counseling and Guidance Program funds.

B. Funds shall be used for students in grades 7-12.

C. Funds may be used to provide a school guidance curriculum.

D. Funds may be used to provide student activities that support the SEOP process.

E. Funds may be used for personnel costs for clerical positions that support the SEOP process.

F. Funds may be used for Career Center equipment or materials such as computers, media equipment, computer software, occupational information, SEOP folders or educational information.

G. Funds may be used for professional development for personnel involved in the Comprehensive Counseling and Guidance Program.

H. Funds may be used for the expenses of extended days or years which are required to run the Program.

I. Funds may be used for guidance curriculum materials for use in classrooms.

J. Funds may be used at a minimum for one secondary school counselor, per school, per year to pay for membership in the American School Counselor Association (ASCA) to facilitate accessing research and resources for effective Program implementation and effective student interventions and outcomes.

R277-462-[5]7. Variances, Accountability and Reporting.

A. New schools that are created from schools that have Northwest accreditation and USOE Comprehensive Counseling and Guidance Program approval may qualify for Comprehensive Counseling and Guidance Program funding under this rule in the schools' first year of operation.

B. Charter schools and other new school district schools not meeting the requirements of R277-462-5A may receive Comprehensive Counseling and Guidance Program funding following two years of planning, training and [p]Program implementation.

C. USOE Data Gathering

(1) The USOE shall gather data annually in October from school districts and charter schools regarding the number and assignments of school counselors.

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(2) The data shall be used to determine secondary school district and charter school compliance with this rule, including required ratios.

[E]D. The USOE shall monitor the Program statewide and [provide]prepare an annual report [on its progress and success]for the Legislature and the Board including data and compliance information.

[D]E. School [D]districts or charter schools shall certify on an annual basis that previously qualified schools continue to meet the Program criteria and provide the USOE with data and information on the Program [as]upon request[ed].

KEY: public education, counselors

Date of Enactment or Last Substantive Amendment: [August 7, 2007]2009

Notice of Continuation: September 7, 2004

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-15-201; 53A-17a-131.8